

Patent
Avago Technologies Docket No.: 70030619-1

REMARKS

This is a full and timely response to the non-final Office Action mailed by the U.S. Patent and Trademark Office on January 30, 2006. Claims 1 and 3-13 remain pending in the present application. Claim 1 is amended with the subject matter of dependent claim 2, which is indicated as allowable. Claim 2 is canceled. In view of the foregoing amendment and following remarks, reconsideration and allowance of the present application and claims are respectfully requested.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 9-12 stand rejected under 35 U.S.C. § 112, Second Paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 9 as suggested in the Office Action. Accordingly, Applicant respectfully submits that claim 9 is in compliance with 35 U.S.C. § 112, Second Paragraph, and respectfully requests that the rejection be withdrawn. Applicant also respectfully submits that claim 9 is now in condition for allowance. Further, Applicant respectfully submits that claims 10-12, which depend either directly or indirectly from allowable claim 9, are allowable for at least the reason that they depend from allowable claim 9. *In re Fine*, 837 F.2d 1071, 5 USPQ 2d 1596, 1598 (Fed. Cir. 1998).

Rejection Under 35 U.S.C. § 102

Claim 1 stands rejected under 35 U.S.C. § 102(e), as allegedly being anticipated by U.S. Patent No. 6,873,180 to Bentz (hereafter *Bentz*).

A proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See, e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990).

Accordingly, the single prior art reference must properly disclose, teach or suggest each element of the claimed invention.

Applicant has amended claim 1 with the subject matter of allowable claim 2.

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Accordingly, Applicant respectfully submits that independent claim 1 is allowable for at least the reason that it recites features that are neither disclosed, taught nor suggested by *Bentz*. Further, Applicant respectfully submits that dependent claims 3-8, which depend either directly or indirectly from allowable independent claim 1, are allowable for at least the reason that they depend from an allowable independent claim. *In re Fine, Supra*.

Allowable Subject Matter

Applicant wishes to thank the Examiner for the indicated allowability of claim 2-3, 7 and 13. Applicant has amended independent claim 1 with the subject matter of allowable claim 2. Accordingly, Applicant respectfully submits that independent claim 1 is allowable for at least the reason that it recites features that are neither disclosed, taught nor suggested by *Bentz*.

Applicant has amended independent claim 9 to overcome the rejection under 35 U.S.C. § 112, Second Paragraph, and respectfully submits that claim 9 is now allowable.

Further, Applicant respectfully submits that dependent claims 3-8, which depend either directly or indirectly from allowable independent claim 1, and dependent claims 10-12, which depend either directly or indirectly from allowable independent claim 9, are also allowable. *In re Fine, Supra*.

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CONCLUSION

Should the Examiner have any comment regarding the Applicant's response or believe that a teleconference would expedite prosecution of the pending claims, Applicant requests that the Examiner telephone Applicant's undersigned attorney.

Respectfully submitted,

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